



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Jose Ortiz,  
Senior Program Monitor (M0077W),  
Jersey City

Examination Appeal

CSC Docket No. 2019-164

**ISSUED:** September 6, 2018 (RE)

Jose Ortiz appeals the decision of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the open competitive examination for Senior Program Monitor (M0077W), Jersey City.

The subject examination had a closing date of January 22, 2018 and was open to residents of Jersey City, and New Jersey, who met the announced requirements. These requirements included graduation from an accredited college or university with a Bachelor’s degree, and one year of experience in inspecting or reviewing activities or programs for compliance with established standards, guidelines, regulations or contractual agreements or in the review, analysis and evaluation of activities or programs in order to ascertain their adequacy, efficiency, deficiencies and effectiveness in achieving their objectives. Applicants who did not possess the required education could substitute experience on a year for year basis. The appellant was found to be ineligible based on a lack of experience. Seventeen candidates appear on the eligible list, which has been certified once, but no appointments have yet been made.

On his application and resume, the appellant indicated that he possessed a Juris Doctor degree, which satisfies the educational requirement, and he listed three positions on his application: Community Outreach Manager, Assistant to the UN Liaison, and Rent Administrator. Official records indicate that the appellant was hired as a provisional Senior Program Monitor in January 2018, and he does not have any underlying permanent service. None of his experience was accepted, and he was found to be lacking one year of qualifying experience.

On appeal, the appellant states that as a Community Outreach Manager, he reviewed activities and programs for compliance with established regulations and contractual grant agreements as well as managed these funded programs to meet objectives, goals and benchmarks. He states that he continued this work in his current position.

*N.J.A.C.* 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date.

## CONCLUSION

The appellant was correctly deemed to be ineligible for the subject examination since he lacked one year of required experience as of the January 2018 closing date. On his application, the appellant provided a list of duties for each of his positions. The appellant indicated that, while serving as a Community Outreach Manager, he was responsible for representing the organization and its interests before community leaders and State government officials. He managed community outreach efforts, including surveys, neighborhood associations and other special projects, and supervised AmeriCorps VISTA members.

On appeal, the appellant provided duties that mimic the announced requirements. Clarification of duties on appeal that appear to mimic the required duties listed on the job specification rather than describe actual responsibilities while serving in a particular position, in the absence of any corroborating information, is not considered acceptable clarification of experience. *See In the Matter of Margaret S. Chann* (MSB, decided November 4, 2004). Qualifying experience must have as its **primary focus** the duties and responsibilities required for the title under test. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). In this instance, the list of duties on his application indicated that the appellant primarily administered the community outreach program rather than monitored the program for compliance to ascertain its effectiveness in achieving objectives.

The appellant's prior experience as an Assistant to the UN Liaison, and Rent Administrator are clearly inapplicable as program monitoring was not listed among the duties for those positions. His experience in his provisional position cannot be qualified as the appellant did not include this position on his application, list his actual duties for this position on his application, or list his actual duties for this position in his appeal. In sum, the appellant lacks one year of required experience.

An independent review of all material presented indicates that the decision of Agency Services that the appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. The appellant

provides no basis to disturb this decision. Thus, the appellant has failed to support his burden of proof in this matter.

**ORDER**

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 5<sup>th</sup> DAY OF SEPTEMBER, 2018



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